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Letter dated 6 February 2007 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1721 (2006) of 1 November 2006, in which the Security Council invited the African Union and the Economic Community of West African States (ECOWAS) to review, before 1 February 2007, the progress achieved in the implementation of the peace process, and requested them to report to the Council, through the Secretary-General, on their assessment.

In this regard, I wish to convey the attached report on the situation in Côte d'Ivoire, prepared by the ECOWAS Commission pursuant to paragraph 21 of the aforementioned resolution (see annex).

I should be grateful if you would bring this report to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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Annex

Situation report on Côte d'Ivoire

31 January 2007

I. Introduction

1. The mandate given to the transitional Prime Minister, which was confirmed by the United Nations Security Council, is to implement all the provisions of the road map drawn up by the International Working Group and the Agreements concluded between the Ivorian parties, with a view to holding free, open, fair and transparent elections by 31 October 2007, with the support of the United Nations and potential donors. By resolution 1721 (2006) of 1 November 2006, the transitional Prime Minister is charged with the responsibility of executing the following programmes:

- Disarmament, demobilization and reintegration.
- Citizen identification and voter registration, as the basis for the compilation of a credible electoral list.
- Disarmament and dismantling of the militias.
- Restoration of State authority and of the administration and public services through the territory of Côte d'Ivoire.
- Technical preparations for the elections.
- The restructuring of the armed forces in accordance with paragraph 17 of the decision of the African Union Peace and Security Council and paragraph 3, article (f), of the Linas-Marcoussis Agreement.

2. The present report is in compliance with paragraph 21 of Security Council resolution 1721 (2006) by which the Council requested the Economic Community of West African States (ECOWAS) and the African Union to continue to monitor and closely follow up implementation of the peace process, and called on them to review progress achieved, by 1 February 2007. The Security Council also requested the two Institutions to present their assessment through the Secretary-General, and, if necessary, submit any new recommendations to the Council.

II. Status of implementation of resolution 1721 (2006)

3. A significant development during the period under review was the Presidential Dialogue Initiative announced by President Laurent Gbagbo on 18 December 2006, and repeated in his New Year address to the nation, by which he engages the New Forces in direct negotiations designed to resolve the five-year-old conflict. The rationale for this approach was the acknowledgement that previous peace efforts had failed, hence the need to engage the major protagonist in direct talks, and resolve the crisis without outside interference. He put forward a five-point proposal that remained significantly silent on the Security Council framework embodied in resolution 1721 (2006).

4. The response from the New Forces to the latest Presidential Dialogue Initiative welcomed the move towards direct talks, but only within the framework of

resolution 1721 (2006), the said talks serving only as a mechanism for the implementation of the peace plan as identified in the resolution.

5. Despite the current stalemate in the Ivorian peace process, it is relevant to report certain positive developments that have taken place. The Transitional Prime Minister has continued to implement the day-to-day administrative programmes contained in the approved road map, through the Council of Ministers of which he is the Chairman. These include:

- The establishment of the working group on the preparations for the citizen identification exercise and the establishment of a voters register. The Prime Minister's office has met with the principal actors in the identification exercise, namely, the judiciary, court clerks/recorders and medical personnel, mayors etc., in order to clarify the procedure involved and its legal implications. Resumption of the identification exercise was scheduled for 15 January 2007, by which time the issue of the appointment of 208 additional courts and the appellate court would have been resolved.

- Tenders for the selection of the principal operators to carry out the identification exercise on behalf of the Government have been opened and are being screened in conjunction with the United Nations High Representative for the elections and UNOCI.

- On the issue of disarmament, work is ongoing on the preparation of the disarmament, demobilization and reintegration sites for ex-combatants. The Quadripartite Monitoring Group established pursuant to the visit of the Secretary-General, Kofi Annan, to Yamoussoukro on 4 July 2006, has been constituted, but has yet to carry out verification of the pre-regroupment exercise, since work on the sites is yet to be concluded. Meanwhile, a seminar on disarmament, demobilization and reintegration was organized in Yamoussoukro on 27 and 28 November 2006.

- The disarming and dismantling of the militias which was discontinued during the National Programme for Disarmament, Demobilization and Reintegration in August 2006 has yet to resume. However, discussions with the militia leaders on modalities for the resumption of the exercise are ongoing under the auspices of the Prime Minister.

Major constraints

6. As emphasized in the ECOWAS recommendations to the African Union, dated October 2006, the entire peace process depends to a large extent on the degree of confidence and collaboration between the two major executive arms of government — the President and the Transitional Prime Minister on the one hand, and all sections of the political class involved in the crisis, on the other.

7. However, there is still great concern over the manifest lack of political will to implement resolution 1721 (2006) and thereby advance the peace process. The political class continues to exhibit a lukewarm attitude towards the crisis and consequently to many crucial issues.

8. Relations between the President and the Prime Minister are anything but cordial. For example, since the adoption of resolution 1721 (2006), the Council of

Ministers, which is presided by the President, with the Prime Minister in attendance, and formally adopts decisions and proposals presented by the Executive Council, which is presided by the Prime Minister, has met only once. The tandem of President and Prime Minister, as acknowledged by the Prime Minister himself, is no longer pedalling in the same direction.

9. There are other points of divergence hinging on issues of governance, such as the handling of the toxic waste scandal during which the President reinstated government officials accused in an ad hoc report and suspended by the Prime Minister, the dismissal, again by the President, of the Directors-General of the Radio and Television Corporation and the Print Media Group, Fraternité Matin, as well as the dissolution of the Board of Directors of these State media groups.

The Mediation Group

10. In response to the worsening stalemate in the peace process and its repercussions on the already unstable socio-political and security situation, a delegation of the Mediation Group led by General Jean-Marie Mokoko, Chairman of the Group and Special Representative of the African Union Chairman in Côte d'Ivoire, undertook a consultative mission to the Heads of State of Nigeria, the Niger, Burkina Faso and the Congo, to brief them on the lack of improvement in the situation in the country, the implementation status of resolution 1721 (2006) and, more particularly, to entreat their intervention in order to move the stalled process forward.

11. A similar approach was proposed to the ECOWAS Council of Ministers, through a report presented at its meeting on 22 December 2006 in Ouagadougou.

III. Decision of the Authority of Heads of State and Government

12. The Authority of Heads of State and Government of the Economic Community of West African States at its thirty-first session, held in Ouagadougou on 19 January 2007, having deliberated on and reviewed the situation in Côte d'Ivoire, decided as follows:

(a) They expressed deep concern over the persistence of the crisis and stressed the need to find a lasting solution to the crisis, based on the immediate concomitant launching of a programme of citizen identification and disarming of the armed groups in order to create the necessary conditions for the organization of free, fair and credible elections by October 2007.

(b) The Authority called upon all Ivorian political forces to cooperate in the implementation of Security Council resolution 1721 (2006).

(c) They welcomed the political dialogue initiative by President Laurent Gbagbo, for direct talks with Minister of State Guillaume Soro. The Authority further enjoined its Chairman to facilitate the dialogue so as to give momentum to the peace process.

(d) The Authority, in addition decided, in consultation with the African Union, to send a high-level delegation to the permanent members of the Security Council, with a view to exploring the ways and means of ensuring diligent application of resolution 1721 (2006) depending on the outcome of the dialogue.

(e) The Authority called upon the United Nations Security Council to visit Côte d'Ivoire to add further impetus to the peace process.

IV. Latest developments

13. The current Chairman of the Economic Community of West African States, President Blaise Compaore, subsequent to the Summit decisions, held talks, first with the Ivorian President Laurent Gbagbo in Ouagadougou and, thereafter, with Minister of State Guillaume Soro, of the Forces nouvelles in Bobo Dioulasso, in an effort to ensure a speedy engagement of the "direct talks" proposed by President Gbagbo.

14. The Heads of State and Government of the African Union at their Summit in Addis Ababa on 29 and 30 January 2007 similarly welcomed the proposed direct talks as a mechanism to advance the peace process.

V. Observation

15. The socio-political situation in Côte d'Ivoire continues to generate great concern, and remained tense during the period under review. Any mediation effort must be premised on the need to ensure a harmonious relationship between the "direct talks" and the timely implementation of resolution 1721 (2006), President Laurent Gbagbo and the Transitional Prime Minister, Konan Banny.

VI. Recommendations

16. In view of the developments highlighted in the present report, the Economic Community of West African States hereby appeals to the United Nations Secretary-General to request the Security Council to remain actively seized of the situation in Côte d'Ivoire. More importantly, ECOWAS would wish the Secretary-General to recommend to the Security Council to visit Côte d'Ivoire in the next few months as a means of re-energizing implementation of resolution 1721 (2006).